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April 23, 2010

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David H. Kramer, Esq.
Wilson, Sonsini, Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304

Re: Herbert Elwood Gilliland III vs. Chad Hurley and Steve Chen; Case No. 2:09-cv-01621-RCM

Dear Mr. Kramer:

In your letter dated April 13, 2010 you make clear your opinion that my client, Mr. Gilliland, is delusional and further that the conversations and agreement on which he is suing your clients, Mr. Hurley and Mr. Chen (collectively "Defendants") never occurred. In other words, you have suggested that Defendants are truthful and Mr. Gilliland is untruthful. Neither your opinions nor mine are of any value because we were not involved in the conception and founding of YouTube. Only Mssrs. Gilliland, Chen and Hurley (collectively "the Parties") know the truth about what really happened at the inception of the YouTube venture.

To test your assertion of what actually occurred (as well as mine on behalf of Mr. Gilliland) I propose that the Parties agree to undergo deception testing using the latest technology available, functional magnetic resonance imaging (fMRI), which relies on an MRI combined with advanced brain mapping software utilizing specialized algorithms. The premier company offering this service, No Lie MRI, Inc, is located in San Diego. In the alternative, if you prefer, the Parties can instead undergo a traditional polygraph examination. Regardless of the testing method used, both sides may submit a preset number of questions to the other side using a mutually agreeable neutral to ensure that the testing conditions and questions follow standard protocol. The results will be available to both sides after all three examinations are completed.

If, as you contend, Mr. Gilliland's allegations are fabricated, the test will detect any deception. If it is readily apparent that the test results indicate that Mr. Gilliland has fabricated the events set forth in the Complaint, we will agree to dismiss the lawsuit with prejudice. By the same token, if it is readily apparent that deception is indicated by your clients, they will agree to tender to Mr. Gilliland 32,176 shares of Google Inc. Class A stock. In such event, the Parties will exchange

mutual releases and a reasonable confidentiality agreement followed by dismissal of the lawsuit with prejudice.

The testing will be conducted under strict confidentiality (using aliases if your clients wish to protect their identities). The cost will be borne one-third by Mr. Gilliland and two-thirds by Defendants. In the event of an inconclusive result by any party said party will undergo re-testing using the same method and protocol within 30 days of the inconclusive test date.

Your clients, as well as the Google Inc. co-founders, (Mr. Gilliland asserts that he spoke to Mr. Brin by phone about YouTube after the Google acquisition) built their success on innovation, cutting edge technology and democratization of media access. A confidential fMRI truth detection examination is the most innovative and objective technology available to test Mr. Gilliland's assertions (and those of your clients as well). It will allow both sides to get to the bottom of the dispute quickly, efficiently and privately.

This proposal is intended to provide Defendants with a general framework. A more comprehensive agreement would be required after further discussion.

Please relay my proposal to Mr. Hurley, Mr. Chen, Mr. Brin and Mr. Page. If we can work out the details over the next two weeks we will agree to pull down the depositions scheduled on May 6, 2010.

Sincerely,

Britton D. Monts

Cc:
Ralph A. Finizio
Richard M. Weibley
Tonia O. Klausner